

SENATE BILL REPORT

2SHB 2635

As Reported By Senate Committee On:
Early Learning & K-12 Education, February 28, 2008

Title: An act relating to school district boundaries and organization.

Brief Description: Regarding school district boundaries and organization.

Sponsors: House Committee on App Subcom Ed (originally sponsored by Representative Quall).

Brief History: Passed House: 2/18/08, 95-0.

Committee Activity: Early Learning & K-12 Education: 2/27/08, 2/28/08 [DPA].

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended.

Signed by Senators McAuliffe, Chair; Tom, Vice Chair; King, Ranking Minority Member; Brandland, Hobbs, Holmquist, Kauffman, McDermott, Oemig and Rasmussen.

Staff: Susan Mielke (786-7422)

Background: The Legislature does not establish school district boundaries but has created a statutory petitioning process to the local educational service district (ESD) to address a proposed change in school district boundaries.

Process. To initiate a change, a petition must be signed by at least 50 percent plus one of the registered voters residing in the territory proposed to be transferred or by a majority of the members of the board of directors of one of the districts affected by the change. If the transfer of territory involves 10 percent or more of the public school student population of the district from which the transfer is proposed, then the ESD superintendent must hold a special election of the voters of the entire district to approve or reject the transfer. Otherwise, in accordance with a statutory timeline, the school districts must negotiate to try to reach agreement regarding the proposed transfer. If the districts do not reach agreement then the districts may request a mediator or either district may request a hearing by the regional committee. If the proposed transfer was initiated by a citizen petition then the district in which those citizen's reside must request a hearing by the regional committee.

Regional Committees. Regional committees operate in each of the nine ESDs. The regional committee members must be active, registered voters and are elected to four year terms by the boards of directors of the school districts located in the ESD. The statutes provide factors for the committee to consider when making the decision to transfer territory, including the

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inclusion in a single school district for the purposes of school attendance and tax support of master planned communities with more than 1,000 units. There are no other specific references to growth management issues in the review criteria.

When school districts affected by the proposed transfer of territory are located in two ESDs, both regional committees must be involved in the decision process. If the two regional committees fail to agree, then a temporary joint committee is appointed by the Superintendent of Public Instruction (SPI) from other regional committees not affected by the proposed transfer to make the decision.

Summary of Bill (Recommended Amendments): Changes are made to the statutory process for changing school district boundaries, and to the regional committees.

Process. When a petition to transfer territory is initiated by the majority of the school district board of directors, the board must provide documentation that prior to signing the petition the board notified the affected school board and provided time for that board to respond; notified voters residing in the territory proposed to be transferred and provided a public hearing for comment; and consulted with the statewide chair of the regional committees.

Regional Committees. Members of the regional committees are appointed by the ESD board for four-year terms. The members must be registered voters and reside in the local ESD. The previous members, elected before this change, may serve out the remainder of their terms.

The decision factor addressing master planned communities is removed and instead the regional committee must consider the impact of the Washington State Growth Management Act and current or proposed urban growth areas, city boundaries, and master planned communities.

Instead of involving both regional committees or a temporary committee when the affected school districts are located in two ESDs, the regional committee and the ESD of the district with the largest number of affected students have jurisdiction.

The bill contains a null and void clause.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Amendments): Removes the creation of and all references to a statewide chair for the regional committees.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Second Substitute: PRO: We had a task force last interim to look at ways to solve these types of disputes between school districts. This bill will make the parties involved in a territory transfer talk to each other. When a school district initiates the transfer then they must do three critical things: (1) Communicate with the other school board involved; (2) communicate with the citizens living in the territory; and (3)

communicate with the state-wide chair. These are important provisions. A statewide chair for the regional committees is a good idea but if you think it is a problem then please take it out – but enact the other parts of the bill.

Persons Testifying: PRO: Representative Dave Quall, prime sponsor; Barbara Mertens, Washington Association of School Administrators; Dan Steele, Washington State School Directors Association.